THE BLOOMFIELD CITIZEN.

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The Bloomfield Citizen.

A WEEKLY JOURNAL OF Local News and Home Reading

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Newark and Bloomfield Branch.

TO NEW YORK.

Leave Glenridge—6.06, 6.52, 7.17, 7.54, 8.30, 9.17, 10.35, 11.37, a.m., 12.43, 1.43, *2.33, 3.33, 4.42, 5.22, 5.55, 6.15, 6.47, 8.18, 9.38, 11.08 p. m. 12.43 a. m.

Leave Bloomfield—6.08, 6.54, 7.19, 7.56, †8.32, 9.19, 10.35, 11.39, a m, 12.46, 1.45, *2.35, 3.35, 4.44, 5.24, 5.55, 6.15, 6.49, 8.20, 9.40, 11.10, p m, 12.4 a m.

Leave Watsessing—6.10, 6.56, 7.21, 7.58, 9.21, 10.38, 11.41 a.m. 12.49, 1.48, *2.38, 3.38, 4.46, 5.27, 5.58, 6.18, 6.51, 8.23, 9.43, 11.12 p.m., 12.47 a.m.

*Saturdays only.

†Does not stop at Newark.

FROM NEW YORK.

Leave Barclay Street—6.30, 7.20, 8.10, 9.30, 10.30, 11.30 a m, 12.30, *1.20, 2.10 3.40, 4.20, 4.40, 5.10, 5.30, 6.20, 7.00, 8.30, 10.00, 11.30 p m.

Leave Newark for Bloomfield—6.20, 6.45, 7.15, 7.55, 8.45, 10.03, 11.03, a m, 12.03, 1.03, *1.56, 2.44, 4.13, 5.24, 5.44, 6.03, 6.53, 7.40, 9.03, 10.38 p m, 12.08 a.m.

*Saturdays only.

NOTE—Leave Christopher street 5 minutes later than time given above.

N. Y. & Greenwood Lake R. R.

TO NEW YORK.

Leave Bloomfield—5.34, 6.46, 7.33, 7.52, 8.13, 8.33, 8.59, 10.28, a. m., 1.43, 3.26, 3.51, 5.04, 6.36, 6.54, 8.55, 11.30 p.m.

FROM NEW YORK.

Leave Chambers Street—6.00, 8.20, 9.20, a.m., 12 m., 1.45, 3.40, 4.20, 4.30, 5.00, 5.10, 5.40, 6.20, 7.00, 8.30, 10.00 p.m., 12 midnight.

Sunday Trains from New York, 9.00, 10.00 A.M. and 5.00 P.M. Sunday Trains from New York, Orange Branch, 9.00 A.M., 1.30, 4.00, 6.15, 8.30, 9.30 P.M.

Sunday Train to New York, leave Bloomfield at 7.55 A.M., 6.45 and 7.22 P.M.

To New York via Orange Branch on Sundays, Leave Bloomfield Avenue at 7.45, 9.27, A. M.; 1.25, 5.24 and 7.51 P.M.

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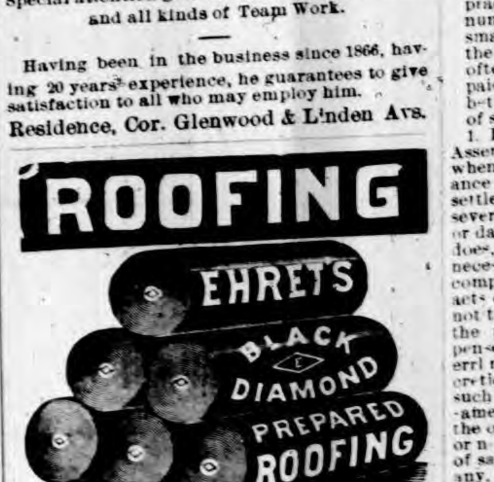

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LAWS OF NEW JERSEY

CHAPTER CCLXXVI.

An Act to amend an act entitled "An act to amend an act entitled 'An act for the settlement and relief of the poor' [Revision] approved March twenty-seventh, one thousand eight hundred and seventy-four," which amendment was approved February twentieth, one thousand eight hundred and eighty six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section fifteen of the act entitled "An act for the settlement and relief of the poor" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, which section as amended was approved February twentieth, one thousand eight hundred and eighty-six be and the same is hereby amended to read as follows:

15. And be it enacted, That it shall and may be lawful for the overseers of the poor of any township, with the approbation and consent of the major part of the inhabitants, householders of such township, if they shall think it convenient and necessary, at any public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to build, purchase or hire any house or houses in such township, and also to purchase necessary materials for that purpose, out of the money provided or to be provided for the relief of the poor, and there to keep, maintain and employ all and every such poor person and persons, and to take the benefit of the work, labor and service of any such poor person or persons who shall be kept and maintained in any such house or houses for the better maintenance and relief of such poor person or persons who shall be there kept and maintained; and in case any poor person or persons claiming relief of any township within this state where such house or houses shall be so built, purchased or hired, shall refused to be lodged, kept to work and maintained in such house or houses, such person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief from the overseer or overseers of any such township; and where any township may be too small to build, purchase or hire such house or houses as aforesaid, it shall and may be lawful for two or more of them, with the consent and approbation of the major part of the inhabitants, householders of each respective place, at a public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to join together and unite in building, purchasing or hiring such house or houses, for the lodging, keeping and maintaining of the poor of such places so joining together and uniting, and there to keep, maintain and employ the poor of such united places as aforesaid, and to take and have the benefit of the work, labor or service of any poor there kept and maintained, for the better maintenance and relief of the poor there kept, maintained and employed; and when two or more townships shall thus unite as aforesaid, the overseers of the poor of such townships so uniting shall meet as soon as practicable after the beginning of the fiscal year, and the overseers of the poor of such townships so uniting shall each serve by turn as steward of such house or houses for the term of one fiscal year each, in such succession of townships as shall be agreed upon by the overseers at their first regular meeting after the passage of this act, unless either shall waive his service, when it shall pass to the township having the right of succession; and the duties of such steward shall be the same as those of the overseer of the house or houses are kept and maintained by one township; and in case any poor person or persons claiming relief of any such united places as aforesaid shall refuse to be lodged, kept to work, or maintained in the house or houses built, purchased or hired for such united places as aforesaid, such poor person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief from the overseer or overseers of any such township; and it shall and may be lawful for the overseers of the poor of any township, with the consent and approbation of the major part of the inhabitants, householders of such place or places where such house or houses shall be built, purchased or hired for the purposes aforesaid, at a public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to contract with the overseers of the poor of any other place for the lodging, maintaining and employing of any poor person or persons to such other place belonging, as to them shall seem meet; and in case any such poor person or persons, belonging to any other township in this state, shall refuse to be lodged, maintained and employed in such house or houses so contracted for as aforesaid, such poor person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief from the overseer or overseers of any such township.

2. And be it enacted, That all acts and parts of acts inconsistent herewith, be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 9, 1888.

CHAPTER CCLXXVII

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies,'" passed April twenty-seventh, one thousand eight hundred and eighty-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section one of the act to which this a supplement be and the same is hereby amended to read as follows, viz:

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That any existing joint stock company incorporated by this State for either of the purposes mentioned in this act may, at any time after notice being given for three months in a newspaper of this State published in the county where such company is located, and if no newspaper be published in such county then in a newspaper published nearest to the same, of such intention, and with the written consent of three fourths in amount of its stockholders, or if a mutual company or a mutual company whose charter has expired with the unanimous consent of its trustees or directors, extend its original charter to the time specified by the provisions of this act, by altering or amending the same so as to accord with the provisions of this act, and filing a copy of the same so altered or amended, together with a declaration, under its corporate seal, signed by the president and directors, of their desire for such extension, and also the written consent of three-fourths in amount of its stockholders, and the unanimous consent of the trustees or directors as aforesaid to such extension, in the office of the secretary of State; and upon the filing such consent, declaration and charter, the same proceedings shall be had as are required by the thirty-second section of this act; and any of the mutual insurance companies already chartered by the legislature of this State, or already organized under the general laws of this State, may, after giving ninety days' notice in three of the public papers of this State, change to joint stock companies, by proceeding in accordance with and conforming their charter to the provisions of this act

2. And be it enacted, That this act shall take effect immediately

Approved April 9, 1888.

CHAPTER CCLXXVIII.

An Act defining the powers of the mutual fire insurance companies of this State.

Whereas, Doubt exists as to whether the mutual fire insurance companies of this State have power under their respective acts of incorporation to make an assessment or assessments for a sum beyond the precise amount of existing losses or expenses, and it is found to be impracticable to make such assessment upon the numerous members of said companies to meet small losses and expenses as the same accrue, the costs incident to the making of which would often exceed the amount of losses or losses to be paid thereby; for remedy whereof and for the better securing the meaning and construction of said acts of incorporation; therefore,

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever the directors of any mutual fire insurance company shall have occasion to assess or settle and determine the sums to be paid by the several members of said company for loss by fire or damage by lightning, wind-storms or tornadoes, or for such incidental expenses as shall be necessary for transacting the business of said company, or either one or all of them, the said acts of incorporation shall be so construed as not to limit the amount of the assessment by the precise amount of existing losses and expenses, but the said assessment against the several members of said company may, in the discretion of said directors, exceed the amount of such existing losses and expenses; provided, the same is against each member in proportion to the original amount of his or their deposit note or notes, and does not exceed twenty per centum of said deposit note, and the surplus money, if any, collected upon said assessment over and above what is necessary to pay existing losses and expenses, shall remain in the treasury of said company for the payment of such further loss or losses and expenses as may thereafter accrue, according to the provisions of its said act of incorporation: and the same proceedings, rights and remedies for the collection of such assessment, and the notes of the members of the said company, upon default made in the payment of said assessment shall exist, as are given in and by their said act of incorporation.

2. And be it enacted, That this act shall be deemed and taken to be a public act and shall take effect immediately.

Approved April 9, 1888.

CHAPTER CCLXXIX.

An Act concerning unclaimed deposits in savings banks.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That all savings banks of this state shall include in their annual reports now required by law a sworn statement containing the name, the amount standing to his, her or their credit, the last known place of residence or post-office address and the fact of death, if known, of every depositor who shall have made a deposit therein or withdrawn therefrom any part of his, her or their deposit or deposits, or any part of the interest thereon, for a period of ten or more years next preceeding, when the amount exceeds the sum of fifty dollars; and the officers of such savings bank shall give notice of these deposits in one or more newspapers published in or nearest to the city or town where such banks are located, at least once a week for three weeks in succession during the month of February for two years.

2. And be it enacted, That the secretary of state shall incorporate in his annual report each return which shall have been made to him as provided in section one.

3. And be it enacted, That the officers of any savings bank neglecting or refusing to make the sworn return required by section one of this act, shall be guilty of a misdemeanor and liable to a fine not exceeding five hundred dollars.

4. And be it enacted, That this act shall take effect immediately.

Approved April 9, 1888.

CHAPTER CCLXXX.

A Supplement to an act entitled "An act concerning savings banks" [Revision], approved April twenty-first, one thousand eight hundred and seventy-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section one of the supplement to the act to which this act is a supplement, which said supplement was approved April tenth, one thousand eight hundred and eighty-five, be amended to read as follows:

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the governing board of every savings bank in any city of this state having a population of one hundred thousand, whether such bank be organized by general or special statute, shall at each annual election of said board hereafter held, provide for the election of a depositor's committee of three, said election to be held two weeks after said annual meeting, upon not less than one week's public notice thereof, in not less than two newspapers circulating in such city; which notice shall designate the time and place of said election; and the necessary expense of said election shall be paid by said governing board, and shall be charged to expense account, and said governing board shall at each annual meeting, appoint a board of inspectors, who shall be not less than four, two of whom, at least, shall be depositors, outside of the board of managers, the poll for said election shall be opened from four until seven o'clock post meridian on the day of said election, and any person producing a book showing a deposit in said bank shall be entitled to vote at said election, either in person or as proxy; the three depositors receiving the highest number of votes shall be elected; inspectors conducting the election shall certify the result under oath, to the board of managers appointing them, and the depositors' committee so elected shall be notified by five days' notice, in writing, of each examination made by the managers, or any committee of the managers of said bank, of the fact that the examination is about to commence, and requesting them to be present thereat.

And be it enacted, That the by-laws of the board of managers of any savings bank in this state may fix the number that shall constitute a quorum of the board for the transaction of business; provided, that said number so fixed shall not be less than a majority of the whole board.

3. And be it enacted, That this act shall take effect immediately.

Approved, April 9, 1888.

CHAPTER CCLXXXI.

A Supplement to an act concerning roads [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. Be it resolved by the Senate and General Assembly of the State of New Jersey, That whenever the legal voters in any of the townships of this state at their annual township meeting shall fail or neglect, for any cause whatever, to raise any sum of money for improving the public roads, and for defraying the costs, charges and expenses of opening, altering and working, amending, repairing and keeping in good order the highways, and procuring material for the same, and also the compensation allowed for the services of the overseer thereof, then it shall be lawful for the said overseers, in each such road district, to give notice of an election to be held at any time before the first day of May next ensuing for that purpose, and shall set up at least two notices in writing in two of the most public places in each road district, stating the time and place of such election, which shall be between the hours of two and eight o'clock post meridian, five days before the day fixed for such election, and also stating the object and purpose of such election.

2. And be it enacted, That at the election provided for in the last preceding section the legal voters then and there assembled may determine, by the votes of two-thirds of all the voters voting at such election, the sum of money to be expended within such district for the purpose of keeping the roads of such district in repair during the ensuing year; and the sum of money so fixed shall be in lieu of all other road taxes in such district, and may be used as hereinafter provided.

3. And be it enacted, That within five days after such election the overseer shall give notice to the assessor of the township of the sum so fixed, who shall assess the sum upon the taxable property within such district; and the same shall be collected as other road taxes are collected, and paid over to the overseer of such road district for the purposes provided for in this act; and for the assessing and collecting of such tax, the assessor and collector shall each be entitled to receive out of the money so assessed and collected, the sum of five cents for each and every name appearing on the assessor's duplicate of such assessment.

4. And be it enacted, That it shall be lawful for the overseers of the highways of the various districts to use broken stone as well as gravel and other materials heretofore provided for by law in forming or repairing the roads in their respective districts.

5. And be it enacted, That all general acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 9, 1888.

CHAPTER CCLXXXII.

A Further supplement to an act entitled "An act concerning roads" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That hereafter in all townships of this State, where the overseer of any road district is now authorized by law to call a public meeting of the legal voters of said road district to be held therein, for the purpose of having the legal voters so convened, or a majority of them, to vote and raise, over and above the regular taxes for the improvement and repair of public roads, such sum or sums of money in such district as they may determine, for the purpose of making and repairing the roads, streets, highways or avenues in such districts; it shall also be lawful at such meeting for said voters so convened, or a majority of them, to determine what, if any, amounts shall be raised for the purpose of maintaining and repairing such sidewalks as may have been laid therein, in addition to the tax for the repair of the roads as aforesaid; which tax shall be assessed and levied against and collected from the inhabitants of such road district by the same means and at the same time and in the same manner as the township taxes are assessed, levied and collected, and when collected shall be paid by the town collector to the overseers of the various road districts of said township for the time being, for the use of such road districts.

2. And be it enacted, That this act shall take effect immediately.

Approved April 9, 1888.

CHAPTER CCLXXXIII.

A Further Supplement to an act entitled "An act to secure to creditors an equal and just division of estates of debtors who convey to assignees for the benefit of creditors" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That at any time within two years from the making of any assignment heretofore made, it shall be lawful for the assignee or assignees, or any creditor or other person interested by himself or attorney, to appear at any term of the orphans' court of the county wherein such proceedings shall have been had or hereafter to be had and to file exceptions to the claim or demand of any creditor, or to the final account of the assignee or assignees; and where fraud or any irregularity is shown, the said orphans' court shall cause a notice to be served on said creditor or assignee or assignees, said notice to be served in such manner and mode as the said court may direct, and thereupon the said orphans' court shall have full and complete jurisdiction to hear and determine the same.

2. And be it enacted, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall be deemed a public act and take effect immediately.

Approved April 12, 1888.

CHAPTER CCLXXXIV.

A Further Supplement to an act entitled "An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' courts and surrogates" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the orphans' court may certify any question of fact into the circuit court of the same county for trial before a jury, and upon filing the certificate in the circuit court, such proceedings shall be had thereupon as are provided for in the trial of questions involved in the probate of wills before a jury.

2. And be it enacted, That this act shall take effect immediately.

Approved April 14, 1888.

CHAPTER CCLXXXV.

A Supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section thirteen of the above act be and the same is hereby amended so as to read as follows:

And be it enacted, That no debt shall be a lien by virtue of this act, unless a claim is filed, as hereinbefore provided, within one year from the furnishing the materials or performing the labor for which such debt is due, and such part of any claim filed as may be for work or materials furnished more than one year before the filing of the same, shall not be recovered against the building or land by virtue of this act, nor shall any lien be enforced by virtue of this act unless the summons in the suit for that purpose shall be issued within one year from the date of the last work done or materials furnished in such claim; and the time of issuing such summons shall be indorsed on the claim by the clerk, upon the sealing thereof; and if no such entry be made within one year from such last date, or if such claimant shall fail to prosecute his claim diligently within three years from the date of issuing of such summons, such lien may be discharged; provided, that the time in which such lien may be enforced by summons may be extended for any further period not exceeding one year, by a written agreement for that purpose, signed by said land owner and such claimant, and annexed to said claim on file before such time herein limited therefor shall have expired, in which case the county clerk shall enter the word "extended" on the margin of the lien docket opposite such claim; and any claimant, upon receiving written notice from the owner of the land or buildings, requiring him to commence suit on such claim within thirty days from the receipt of such notice, shall only enforce such lien by suit to be commenced within said thirty days.

2. And be it enacted, That this act shall take effect immediately.

Approved April 16, 1888.

CHAPTER CCLXXXVI.

An Act to amend an act entitled "An act relative to the jurisdiction and practice of district courts in this state," approved March twenty-seventh, one thousand eight hundred and eighty-two

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section six of above act be and the same is hereby amended so as to read as follows:

6. And be it enacted, That each of the judges of the several district courts of this state shall have the same powers, jurisdiction and authority, upon petition for discovery in aid of the execution upon the return of any execution unsatisfied in whole or part into any of said district courts, to order the judgment debtor to appear before the court, or one of the supreme court commissioners of this state, and make discovery on oath concerning his property or things in action before said judge or commissioner, and upon the taking of the testimony by said judge, or the certification by the commissioner of the testimony taken by him under the order, to appoint a receiver of the property and things in action belonging, or due to, or held in trust for such debtor at the time of issuing the execution, or at any time afterward, as is now vested in or exercised by any of the judges of the inferior courts of common pleas of this state; and such receiver, when appointed, shall have like power, authorities and duties as receivers appointed under similar proceedings by any of said judges of the inferior courts of common pleas, except that the judge may make such order when the amount due on such judgment, including costs, shall be twenty five dollars or more; provided, however, that no receiver appointed by any of the district court judges shall become vested with the title to or have the power to demand and receive any of the real property of any such judgment debtor.

2. And be it enacted, That this act shall take effect immediately.

Approved April 16, 1888.

CHAPTER CCLXXXVII.

A Supplement to an act entitled "An act regulating lettings in cases where no definite term is fixed," approved April fourteenth, one thousand eight hundred and eighty-four.

1. Be it enacted by the Senate and General Assembly of the state of New Jersey, That the act entitled "An act regulating lettings in cases where no definite term is fixed," approved April fourteenth, one thousand eight hundred and eighty-four, be and the same is hereby amended so as to read as follows:

That in any letting where no term is agreed upon and the rent is payable monthly, so long as the tenant pays the rent as agreed, it shall be unlawful for the landlord to dispossess the tenant before the first day of April succeeding the commencement of such letting, without giving the tenant three months' notice in writing to quit; provided, however, that in case any tenant should be so disorderly as to destroy the peace and quiet of the other tenants living in said house or the neighborhood, or shall willfully destroy, damage or injure the premises, or shall constantly violate the said landlord's rules and regulations governing said premises, and a copy of which regulations said landlord has caused to be conspicuously posted on said premises; in any such case the said landlord may cause a written notice of the termination of such tenancy to be served upon said tenant and a demand that said tenant remove from the premises so occupied by him within three days from the services of such notice, and in case such tenant shall not so remove, it shall be lawful for said landlord or his agent, after the expiration of said three days, to make and file with any justice of the peace, an affidavit setting forth either or any of the causes for removal above set forth, and of the service of such notice, and thereupon it shall be lawful for such justice to issue his summons in ejectment such as now provided under the act entitled "An act concerning landlords and tenants," for the summary removal of tenants holding over after the expiration of his or her term, and on proof before said justice, on the return of said summons, of any one of the causes for removal aforesaid, it shall be lawful for said justice to give judgment for said landlord and issue his warrant for such removal and take such other proceedings as is now provided by law for summary removal of tenants.

2. And be it enacted, That this act shall take effect immediately.

Approved April 16, 1888.

CHAPTER CCLXXXVIII.

A Supplement to an act entitled "An act respecting the court of chancery" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy five.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section fifty seven of an act entitled "An act respecting the court of chancery" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-five, be and the same is hereby amended so as to read as follows:

57. And be it enacted, That neither the filing of a bill in chancery nor any proceedings had, or to be had thereon, before a final decree, shall be deemed or taken to be constructive notice to any bonna fide purchaser or mortgagee of any lands or real estate to be effected thereby until the complainant in such bill, or his solicitor, shall have first filed in the office of the clerk of the court of common pleas of the county in which such lands or real estate lie, a written notice of the pendency of such suit setting forth the title of the cause and the general object thereof, together with a description of the lands or real estate effected thereby; provided, that nothing in this section contained shall be construed or taken to apply to any bill filed, or to be filed, for the satisfaction or foreclosure of any duly registered or recorded mortgage; and provided further, that in case the complainant named in such bill do not take steps to prosecute the suit diligently within three years after the filing of such written notice of the pendency of such suit, then the chancellor may, upon application to him by any interested party, and upon notice to the complainant or his solicitor, declare the filing of such notice to be null and void and of no effect.

Approved April 16, 1888.

CHAPTER CCLXXXIX.

An Act to authorize incorporated towns to construct sewers and drains, and to provide for the payment of the cost thereof.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That it shall be lawful for the common council of any incorporated town in this state, to order and cause sewers or drains to be constructed in any part of such town, and to provide, maintain and order a general system of sewerage and drainage for said town or any part thereof, conform ably, to which all sewers and drains shall be constructed, and to establish and maintain one or more outlets or places of deposit, within or without such town, for sewage and drainage, and to provide for the disposal of the sewage and drainage from the town, and to repair and cleanse such sewers and drains.

2. And be it enacted, That whenever a petition in writing of any owners of property interested shall be presented to the common council of the said incorporated town, asking for the construction of a sewer or drain in any particular section of said town, it shall be lawful for such common council to adopt a resolution declaring its intention to cause such sewer or drain to be constructed, and the said common council shall forthwith cause public notice of such intention to be given by the town clerk, or other designated officer, in a newspaper printed or circulated in such town, for the space of ten days, briefly describing the proposed work and requesting such persons as may object thereto to present their objections in writing, at or before the expiration of ten days from the date of such notice, to the officer signing the same; and if persons owning or representing more than one half of the lineal frontage of the land along any street, or of the portion thereof through which it is proposed to construct any lateral sewer or drain, shall present their objections in writing, then such proceedings shall cease; but otherwise after the expiration of the said ten days it shall be lawful for such common council to adopt any ordinance for the construction of such sewer or drain, to award contracts for the same or for any part or section thereof, and to take all necessary steps for properly carrying into effect the desired improvement;

II. If in the judgment of the said common council the construction of such sewer or drain is likely to benefit and increase the value of any lands and real estate in the vicinity thereof, the said common council is authorized to treat with the owners of said lands and agree with them as to the value of the said benefits, and the compensation to be paid therefor by such owners; and in case of a satisfactory agreement being made between any of the owners of lands likely to be benefited and the said common council, the same shall be in writing, signed by the said owner or owners, and entered upon the minutes of the said common council, and the amount agreed upon as a compensation for the benefits to be derived from said sewer or drain shall be paid by such owner or owners so agreeing, on or before the completion of said sewer or drain;

III. That in case no agreement can be made for such purpose, the said common council shall apply to the circuit court of the county wherein the said town is situate, or to one of the judges of the supreme court of New Jersey, at his chambers, for the appointment of commissioners to estimate and assess such benefits, of the time and place of which application written notice shall be given by personal service of a copy thereof upon the said owner or owners, or by leaving a copy at his or their usual place of residence with a member of his family, or, in case said owner shall be a corporation, by serving a copy of the said notice upon the president, secretary or one of the directors thereof, at which time and place the said court or judge shall, without unnecessary delay, appoint three commissioners, who shall be freeholders and residents of the town making the application, to estimate and assess the said benefits; the said court shall have power to remove any commissioners and appoint another in his place, and also to fill any vacancy that may occur in the office of any commissioner from any cause;

IV. That the said commissioners, before entering upon the execution of the duties required of them by this act, shall take and subscribe before some person duly authorized to administer the same, an oath or affirmation that they will make all estimates and assessments required of them fairly, legally and equitable, according to the best of their skill and understanding, which oath or affirmation shall be attached to the report that they are hereinafter required to make;

V. The said commissioners having thus qualified shall give notice under the direction of the said court or judge of the time and place when and where they will hear any persons in interest who may present themselves to be heard, and at such time and place, and at such other times and places to which they may adjourn for that purpose, the said commissioners shall attend and shall give a public hearing to those persons in interest who may desire to be heard; the said commissioners shall have the power to examine witnesses under oath, to be administered by any one of them, to enter upon and view any premises that they may deem necessary, and to adjourn from time to time at their discretion, or as directed by said court or judge; they shall use diligent efforts to ascertain the names of the owners of the land and real estate benefited by the construction of such sewer or drain as aforesaid, and shall state the same in the report hereinafter mentioned; but the failure to so ascertain the name of any such owner, or to state the same correctly, or the omission of any such name from the said report, shall not be deemed to invalidate the said assessment nor to be a bar to the collection of the same;

VI. That after having given opportunity as aforesaid for a public hearing of the persons in interest, and having viewed the premises likely in their judgment to be benefited by the construction of such sewer or drain, the said commissioners shall make a report in writing of their estimate and assessment to the said court or judge of the supreme court, accompanied by a survey and map prepared by the town surveyor or engineer, under their direction, showing the lots or parcels of land and real estate materially benefited by such sewer or drain: the said report shall state the estimated cost of the whole work, the portion, if any, assessed upon the town at large, the amounts, if any, assessed by agreement between any owner and common council, designating the lots upon which such assessments were made, and shall give the names so far as ascertained, of the owners of the said lots or parcels of land and real estate, and the amount of the assessment to each owner, for each of such lots or parcels of land and real estate, for the said benefits, which assessment shall in each case be in proportion, as near as may be, to the advantage which each of such owners shall be deemed to have acquired by the construction of such sewer or drain; in case the costs and expenses of such work shall exceed the amount of such benefit, the excess thereof shall be paid by the town at large; in no case shall any property or owner thereof be assessed beyond the amount of benefit actually derived from the construction of such sewer or drain;

VII. That upon the coming in of any such report signed by the said commissioners or any two of them, said court or judge shall cause such notice to be given as it shall seem proper of the time and place of hearing any objections that may be made to such assessment, and after any matter that may be alleged against the same, the said court or judge, either by rule or order, shall confirm the said report or shall refer the same to the said commissioners for revision and correction; and the said commissioners having reconsidered the subject-matter thereof, shall return the same corrected and revised, or a new report shall be made by them in the premises, to the said court or judge, without unnecessary delay, and the same, being so returned, shall be confirmed by the court or judge either without alteration or with such amendments and revisions as right and justice shall require; such report, when so confirmed, shall be final and conclusive as well upon the said town as upon the owners of any lands and real estate affected thereby; the said court or judge of the supreme court shall thereupon cause a certified copy of such report as finally adopted, and the accompanying map, to be transmitted to the town clerk of the said town, with a certified copy of the rule or order of the said court confirming the same, which shall be forthwith delivered by the said clerk to the common council of the said town.

VIII. That no certiorari shall be allowed by any court to review any proceedings in relation to such improvement, nor to in any way affect any assessment made by such commissioners, after the lapse of thirty days from the making of the order of the court confirming such assessment; the court shall designate what notice, if any, shall be given of the confirmation of the report of said commissioners.

IX. That all assessments made under the provisions of this act, whether by agreement or otherwise, shall be and remain a first lien upon the lands and real estate affected thereby, for the satisfaction of any judgment to be obtained therefor, notwithstanding any error or omission in stating the name or names of the owner or owners of any lot or parcel of such land and real estate to the same extent as taxes and assessments are now a lien under the general laws of this state, and shall bear interest at the legal rate: and the common council may sue for and recover of each person so assessed the amount of his assessment with interest and costs by an action of contract in the corporate name of said town, in any court of competent jurisdiction, against the person or persons so assessed, for so much money laid out and expended by the plaintiff for the use of such person or persons so assessed, and may declare generally and give the special matter in evidence; and if any such person or persons reside out of the state a writ of attachment may be resorted to as in other cases of non-resident debtors, and the said proceedings of the commissioners and the rule or order of said court or judge shall be conclusive evidence against the defendant;

XI. That for his services each commissioner shall receive the sum of four dollars for each day he shall be engaged in the actual performance of the duties herein required of him, to be paid by the town in which the improvement is made.

3. And be it enacted, That whenever it shall be feasible or advantageous to any such town to build and extend any part of such sewers, or any of the outlets thereto, through and upon any private lands or property, in order to reach the waters into which the sewage of such town is emptied, then it shall be lawful for said town to acquire the land in fee simple or any lesser estate or right therein; the proceedings for acquiring such property, and estimating and assessing the damages to the owners thereof, by reason of the taking and appropriating the same, shall conform to the proceedings now provided by law for the acquiring of land for the opening of streets in such town.

4. And be it enacted, That it shall be lawful for each town to expend not more than one per centum of the total valuation of its taxable property in any one year for the purpose of constructing sewers or drains in such town.

5. And be it enacted, That in order to meet the expenses of any such improvement, the common council may borrow the money necessary therefor, temporarily upon the promissory notes of such corporation, or may issue temporary improvement certificates from time to time, as the work progresses, in such form as the common council may prescribe; such notes and certificates shall bear interest at a rate not exceeding six per centum per annum, and shall be payable at the expiration of not more than two years from the date of issue; all receipts from assessments made against property benefited by such improvements shall be paid to the treasurer of the town, and shall be applied to the payment for such improvements, or to the payment of any temporary indebtedness incurred by the town therefor.

6. And be it enacted, That in order to provide for so much of the cost of such improvement as

Continued on Last Page.

IS NOT THIS SO?

(From the Newark Sunday Call.)

The condition of the roads in this county outside of Newark and Orange, and not under the control of the Road Board, is the cause of just complaint. These roads are "worked" by district overseers, and while many of them give the duty an amount of attention out of proportion to the meagre rewards, there is not enough money at their disposal to make the roads what they should be, considering the constant use to which they are put by the business and pleasure-driving community. It does not cost much to maintain a well-constructed road, but in the majority of cases the roads have not been in decent condition for years, and a sum of money four times the annual levy is needed to make them fit for use. The small amount now raised is used in desultory patchwork that produces no permanent improvement and the first heavy rain destroys all trace of the overseer's work. It is not necessary to point out the great advantage of well-kept roads, but there should be more done toward realizing the benefit of suitable highways.

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